

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TAMARA LOHR and RAVIKIRAN SINDOGI,
on behalf of themselves and all others similarly
situated.

Plaintiffs.

NISSAN NORTH AMERICA, INC., and
NISSAN MOTOR CO., LTD.,

Defendants

Case No. 2:16-cv-01023-RSM

**STIPULATION AND ORDER REGARDING
DEFENDANT NISSAN NORTH AMERICA,
INC.'S BILL OF COSTS**

Plaintiffs Tamara Lohr and Ravikiran Sindogi (“Plaintiffs”) and Defendant Nissan North America, Inc. (“NNA”) (collectively, the “Parties”) enter into this stipulation with reference to the following facts and recitals:

On May 16, 2022, this Court granted summary judgment in favor of NNA (Dkt. 211).

On October 12, 2022, and pursuant to Federal Rule of Civil Procedure 54(d) and Western District of Washington Local Court Rule 54(d), NNA filed a motion for costs (Dkt. 218).

The Parties met and conferred regarding their previous agreement to consolidate discovery in this action along the *Johnson, et al. v Nissan North America, Inc.* matter, a related case venued in the Northern District of California, No. 3:17-cv-00517-WHO.

1 The Parties now seek to resolve the issue of NNA's attorney's fees, costs and expenses
2 without further litigation on terms just and fair to all parties and hereby enter into the following
3 Stipulation of Attorney's Fees, Costs and Expenses ("the Stipulation").

4 THEREFORE, THE PARTIES HEREBY STIPULATE TO THE ENTRY OF AN ORDER
5 AS FOLLOWS:

6 1. That Plaintiff shall pay the sum of \$18,062.74¹ in costs and expenses in a check made
7 payable to Shook, Hardy & Bacon L.L.P. and NNA hereby agrees to accept said payment in full
8 satisfaction of all claims for costs and expenses in connection with this action;

9 IT IS SO STIPULATED.

10 Dated: October 31, 2022

11 */s/ Mitchell M. Breit*
12 On Behalf of Plaintiffs

13 Mitchell M. Breit, Admitted Pro Hac Vice
14 MILBERG COLEMAN BRYSON PHILLIPS
15 GROSSMAN PLLC
16 100 Garden City Plaza STE 500
17 Garden City, NY 11530
18 Telephone: (347) 668-8445
19 mbreit@milberg.com

20 Gregory F. Coleman, Admitted Pro Hac Vice
21 Mark E. Silvey, Admitted Pro Hac Vice
22 MILBERG COLEMAN BRYSON PHILLIPS
23 GROSSMAN PLLC
24 First Tennessee Plaza
25 800 South Gay Street, Suite 1100
26 Knoxville, Tennessee 37929
27 Telephone: (865) 247-0080
28 Facsimile: (865) 533-0049
29 gcoleman@milberg.com
30 msilvey@milberg.com

31 Benjamin M. Drachler (WSBA #51021)
32 Beth E. Terrell, WSBA #26759
33 Amanda M. Steiner, WSBA #29147
34 TERRELL MARSHALL LAW GROUP PLLC
35 936 North 34th Street, Suite 300

36 */s/ Amir Nassihi*
37 On Behalf of Defendant
38 Nissan North America, Inc.

39 Amir M. Nassihi, appearance *pro hac vice*
40 Andrew L. Chang, appearance *pro hac vice*
41 H. Grant Law, appearance *pro hac vice*
42 SHOOK, HARDY & BACON L.L.P.
43 555 Mission Street, Suite 2300
44 San Francisco, CA 94105
45 Tel: 415.544.1900 | Fax: 415.391.0281
46 anassihi@shb.com
47 achang@shb.com
48 hlaw@shb.com

49 David Bartley Eppenauer WSBA #29807
50 Shook, Hardy & Bacon L.L.P.
51 Columbia Center
52 701 Fifth Ave., Suite 6800
53 Seattle, Washington 98104
54 Telephone: 206.344.7600
55 Facsimile: 206.344.3113
56 beppenauer@shb.com

57 ¹ This amount represents \$17,662.74 in transcript costs, which represent half of those sought with the
58 understanding that the other half would be recoverable to the prevailing party in the related *Johnson*
59 matter, and \$400 in docket fees incurred in this action.

1 Seattle, Washington 98103-8869
2 Telephone: (206) 816-6603
3 bdrachler@terrellmarshall.com
4 bterrell@terrellmarshall.com
5 asteiner@terrellmarshall.com

6 Charles Crueger, Admitted Pro Hac Vice
7 Erin Dickinson, Admitted Pro Hac Vice
8 CRUEGER DICKINSON LLC
9 4532 North Oakland Avenue
10 Whitefish Bay, Wisconsin 53211
11 Telephone: (414) 210-3868
12 cjc@cruegerdickinson.com
ekd@cruegerdickinson.com

13 Edward A. Wallace, Admitted Pro Hac Vice
14 WEXLER WALLACE LLP
15 55 West Monroe Street, Suite 3300
16 Chicago, Illinois 60603
17 Telephone: (312) 346-2222
18 Facsimile: (312) 346-0022
19 eaw@wexlerwallace.com

20 Holly Pauling Smith, appearance *pro hac vice*
21 SHOOK, HARDY & BACON L.L.P.
22 2555 Grand Boulevard
23 Kansas City, Missouri 64108
24 Tel: 816.474.6550 | Fax: 816.421.5547
25 hpsmith@shb.com

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 1, 2022.


RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE